

THE HONORABLE JOHN H. CHUN

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

AMAZON.COM, INC., a corporation,

Defendant.

CASE NO.: 2:23-cv-01495-JHC

**JOINT STATEMENT
REGARDING PROPOSED
ECONOMICS DAY HEARING**

Pursuant to the Court’s direction at the September 3, 2024, Case Status Conference (Dkt. #275), Plaintiffs Federal Trade Commission (“FTC”) and the states and territories of New York, Connecticut, New Hampshire, Oklahoma, Oregon, Pennsylvania, Delaware, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, Puerto Rico, Rhode Island, Vermont, and Wisconsin, by and through their respective Attorneys General (together, “Plaintiff States,” and collectively with the FTC, “Plaintiffs”) and Defendant Amazon.com, Inc. (“Amazon”) submit this joint statement regarding the topics to be addressed at the proposed economics day hearing.

I. AGREED TOPICS

The parties agree that the following topics would be appropriate for discussion at the hearing:

1. What economic concepts are relevant to the operation of Amazon’s store and how Amazon competes?
2. How do economists define a relevant antitrust market?
3. What economic principles apply to market definition, including but not limited to reasonable substitutability of products and services?
4. What types of qualitative evidence can inform market definition?
5. What types of quantitative evidence can inform market definition?
6. How do economists define monopoly power for antitrust purposes?
7. What types of evidence can help an economist assess whether a firm has monopoly power in a relevant market?
8. How do economists analyze barriers to entry in connection with assessing whether a firm has monopoly power?
9. What is anticompetitive conduct, as opposed to competition on the merits?

1 10. How do economists evaluate whether challenged conduct harms competition in a
2 relevant antitrust market?

3 11. How do economists evaluate whether challenged conduct has generated
4 procompetitive benefits for competition in a relevant antitrust market?

5
6 Dated: October 1, 2024

Respectfully submitted,

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